

A shortened 30-day statutory period for response expires on March 6, 2003. Accordingly, this response is being filed in a timely manner.

I. THE SPECIES REQUIREMENT

A. The Species Requirement

The species election requirement states that claims directed to the following species are contained in the application:

A micro mixer device with a time varying field caused by : Species 1: an electric field, Species 2: an physical displacement field, Species 3: an pressure field, Species 4: a magnetic field;

And a micro mixer device Species A: an open chambered device and Species B a closed chambered device.

B. Response to Restriction Requirement

In response to the species requirement, Applicants hereby provisionally elect Species 1: an electric field and Species B a closed chambered device, for prosecution on the merits with traverse.

Currently claims 1 and 2 are generic and are linking claims. Claims readable on the elected species include, in addition to claims 1 and 2, claims 4-13, 18-19, 21-23.)

The Examiner's requirement is respectfully inappropriate. For the Examiner to effectively examine this case a search will have to be done in all relevant classes. This would cover subject matter in the non-elected claims.

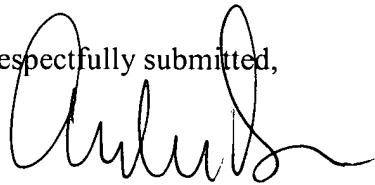
Accordingly, the Examiner's request is burdensome, not only on the applicant and the public, as it would require multiple patents to cover the technology of the claims of the invention.

Reconsideration of the above application is respectfully requested.

Applicants do not traverse the Restriction Requirement on the grounds of lack of patentable distinctness. Rather, applicants traverse the Restriction Requirement on the grounds that a sufficient burden to require restriction does not exist and that the inventions are sufficiently related to preclude restriction notwithstanding the existence of patentable distinctness.

Applicants have complied with all requirements made in the communication. Accordingly, examination of this application on the merits is respectfully requested.

Respectfully submitted,



Dated: February 24, 2003

Charles Berman
Reg. No. 29,249

GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, California 90404
(310) 586-7700
(310) 586-7800
bermanc@gtlaw.com